

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

STRECK, INC., a Nebraska corporation,	)	
	)	
Plaintiff,	)	8:06CV458
	)	
v.	)	
	)	
RESEARCH & DIAGNOSTIC SYSTEMS,	)	JUDGMENT
INC., a Minnesota corporation, and	)	
TECHNE CORPORATION, a Minnesota	)	
corporation,	)	
	)	
Defendants.	)	
_____	)	

Pursuant to the jury's answers to special interrogatories finding (1) that Dr. Alan Johnson was not the first inventor of the patent claims at issue or had abandoned, suppressed, or concealed his invention; (2) that a reasonable royalty rate for R&D's infringing sales is 12.5%; and (3) R&D did not willfully infringe, Filing No. [315](#), the court finds Streck is entitled to recover 12.5% of R&D's infringing sales of \$738,391.00. Accordingly,

IT IS HEREBY ORDERED that:

1. Judgment is entered in favor of plaintiff Streck, Inc., and against defendants Research & Diagnostic Systems, Inc., and Techne Corporation, jointly and severally, in the amount of \$92,298.88, plus costs and interest at the legal rate from and after this date.
2. Defendants' counterclaim for a declaration of invalidity is dismissed, with prejudice.
3. The parties shall have 20 days to file any posttrial motions and fourteen days thereafter to respond to the opposing party's motion.

DATED this 29<sup>th</sup> day of October, 2009.

BY THE COURT:

s/ Joseph F. Bataillon  
Chief District Judge